

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VISIBLE SYSTEMS CORPORATION,

Plaintiff

v.

Civil Action No. 04-CV-11610-RGS

UNISYS CORPORATION,

Defendant

DEFENDANT'S PROPOSED VERDICT FORM

- Has the plaintiff, Visible Systems, proven by a preponderance of the evidence that it owns a trademark in the word VISIBLE?

Yes _____

No _____

If you answered Yes, proceed to Question 2. If you answered No, stop here.

- Has Visible Systems proved by a preponderance of the evidence that Unisys's 3D VISIBLE ENTERPRISE trademark is similar to Visible Systems's VISIBLE mark?

Yes _____

No _____

If you answered Yes, proceed to Question 3. If you answered No, stop here.

- Has Visible Systems proved by a preponderance of the evidence that Unisys advertised and promoted its 3D VISIBLE ENTERPRISE mark in a way that saturated the market in which Visible Systems competes, and overwhelmed its reputation?

Yes _____

No _____

If you answered Yes, proceed to Question 4. If you answered No, stop here.

4. Has Visible Systems proved by a preponderance of the evidence that there is a substantial likelihood Visible Systems' potential customers have been or will be confused into mistakenly believing that Unisys is the source or sponsor of Visible Systems' products or services?

Yes _____

No _____

Dated: July 13, 2007

UNISYS CORPORATION,
By Its Attorneys,

/s/ William L. Boesch
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William L. Boesch, BBO No. 558742
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I hereby certify that this document is being filed through the ECF system, and that I am therefore relying on the system to complete service by sending copies of the filing electronically to the necessary counsel, who are registered participants.

_____/s/ William L. Boesch_____

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